UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,020	01/19/2001	Hideto Kurose	500.39441X00	2270

20457	7590	12/23/2004

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

EXAMINER
MAURO JR, THOMAS J

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/744,020	KUROSE ET AL.
	Examiner	**Art Unit**	
	Thomas J. Mauro Jr.	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 July 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *19-38* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *19-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the amendment filed on July 30, 2004. In it, claims 1-18

were cancelled and claims 19-38 were newly added. A formal action on the merits of claims 19-

38 follows.

2.   Objections made against the drawings, the specification and claim 18 have been

withdrawn as corrections have been made accordingly and claims have been cancelled. In

addition, the 112 rejection made against claims 6 and 7 are withdrawn as these claims have

likewise been cancelled.

Response to Arguments

3.   Applicant's arguments with respect to claims 19-21 have been considered but are moot in

view of the new ground(s) of rejection.

4.   Examiner notes to applicant that although claim 20 has been formally rejected over

Kanematsu et al. (US 2002/0048050) in view of Matsumoto et al. (JP 07-129498), it is also

applicable, based upon the overlapping teachings of both Kanematsu et al. and Matsumoto et al.

that a rejection of Matsumoto et al. in view of Kanematsu could also be relied upon. For

example, Matsumoto teaches

        a client computer; and

        a server computer connected to the client computer, via a network **[Matsumoto --**

Drawing 9 and Page 1 paragraph [0003] – Client/server structure system is shown in which

demand stereo (102) and procedure request equipment (104) are client side while

procedure activation equipment (105) and response stereo (103) are located server side,

both connected via a communications network];

a first identifier generating section for generating a first identifier corresponding to a

processing for which an enquiry is issued to the server computer [Matsumoto -- Page 3

paragraph [0014] lines 1-4 and page 4 paragraph [0018] lines 8-12 – Demand identifier

generation equipment generates an identifier corresponding to the demand, i.e. process,

issued to the server by the client];

an enquiry section for sending, upon inquiring the server computer of a status of the

processing, the first identifier to the server computer [Matsumoto -- Page 6 paragraph [0023]

lines 14-22 – Inquiry generator, which generates inquiry commands as to the status of a

demand, i.e. process, sends the identifier to the response stereo, i.e. server];

a receiving section receiving a first identifier corresponding to a processing which is

requested from the client computer [Matsumoto -- Drawing 4 and Page 6 paragraph [0023]

lines 14-16 – Inquiry reception equipment (303) on server side procedure activation

equipment (105), receives identifier passed from the client's inquiry generator equipment];

an information acquiring section acquiring, in response to a status enquiry for the

processing which is received from the client computer and which includes the first identifier,

information regarding a status of said processing corresponding to the first identifier

[Matsumoto -- Drawing 4 and Page 6 paragraph [0023] lines 16-19 – Inquiry reception unit

uses the identifier from output queue management equipment and passes the response of

the demand, i.e. process, to the remote procedure activation equipment unit]; and

a transmitting section sending the information to the client computer [**Matsumoto --**

Drawing 4 and Page 6 paragraph [0023] lines 19-23 -- Remote procedure activation

equipment (110) of procedure activation equipment (105) passes the response information

to remote procedure activation equipment (108) on procedure request equipment (104).

Demand stereo, i.e. client, is notified of response by the remote procedure activation

equipment (108) in step 15].

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 19, 21, 26 and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by

Kanematsu et al. (US 2002/0048050).

With respect to claim 19, Kanematsu teaches a processing status enquiry method of

inquiring a status of processing executed by another computer, comprising the steps of:

sending a processing which a first computer requests a second computer to perform and a

first identifier of the processing to the second computer [**Kanematsu -- Figure 1 and Page 3**

paragraphs [0051-0052] and [0054] – User at workstation (11), i.e. first computer, registers

a process to be performed with a second computer (3). Additionally, a first identifier, i.e.

user ID/name is sent from the first computer to the second computer];

sending the first identifier to the second computer when the first computer inquires the

second computer of a status of the processing requested [Kanematsu -- Page 4 paragraph

[0059] – Processing status is obtained by requiring the first computer to send the first

identifier, i.e. user ID/name to the second computer];

generating, by the second computer, a second identifier corresponding to a processing

request received from the first computer and sending the second identifier to the first computer

[Kanematsu -- Page 4 paragraph [0059] – Job ID, i.e. second identifier, is generated by the

second computer when a process is registered];

storing in the second computer the second identifier corresponding to the first identifier

[Kanematsu -- Page 4 paragraphs [0059] and [0064] – Job identifier is attached to each

user registered process to be used in a query to obtain job status information; therefore,

second computer would store and associate job ID with a process]; and

inquiring, by the first computer, the second computer of a status of said processing using

at least one of the first and second identifiers [Kanematsu -- Page 4 paragraph [0059] –

Processing status is obtained by sending to the second computer both the first and second

identifiers, i.e. user ID/name and job ID].

With respect to claim 21, Kanematsu teaches a processing status enquiry system for

inquiring a status of processing executed by another computer, comprising:

a first computer for sending a processing which the first computer requests a second

computer to perform and a first identifier corresponding to said processing, to the second

computer **[Kanematsu -- Figure 1 and Page 3 paragraphs [0051-0052] and [0054] – User at**

workstation (11), i.e. first computer, registers a process to be performed with a second

computer (3). Additionally, a first identifier, i.e. user ID/name is sent from the first

computer to the second computer]; and

a second computer for notifying, in response to a status inquiry of the processing which is

received from the first computer and which includes the first identifier, a status of the processing

to the first computer **[Kanematsu -- Page 4 paragraph [0059] – Second computer responds**

with the status information in response to receiving the first identifier to request the status

information];

wherein the second computer generates a second identifier corresponding to a processing

request received from the first computer and sends the second identifier to the first computer

[Kanematsu -- Page 4 paragraph [0059] – Job ID, i.e. second identifier, is generated by the

second computer when a process is registered], and

wherein the first computer inquires the second computer of a status of said processing

using at least one of the first and second identifiers **[Kanematsu -- Page 4 paragraph [0059] –**

Processing status is obtained by sending to the second computer both the first and second

identifiers, i.e. user ID/name and job ID].

With respect to claim 26, Kanematsu further teaches wherein when the first computer

requests the second computer to perform the processing, information regarding a notification

destination is specified to which the second computer notifies a status of the processing

[Kanematsu -- Page 3 paragraphs [0051-0052] and page 4 paragraph [0059] – User

Id/Name is specified along with source information inherently in the message, i.e. source

IP, which specify where to return the status information].

With respect to claim 37, Kanematsu teaches a computer readable medium comprising

instructions **[Kanematsu -- Page 2 paragraph [0046]]**. The remaining limitations of claim 37

are similar to the limitations of claim 19 above. Therefore, claim 37 is rejected under the same

rationale.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

8.   Claims 20, 22-23, 27 and 32-33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kanematsu et al. (US 2002/0048050) in view of Matsumoto et al. (JP 07-

129498).

Regarding claim 20, Kanematsu teaches a processing status enquiry system for inquiring

a status of processing executed by another computer, comprising:

a client computer; and

a server computer connected to the client computer, via a network **[Kanematsu -- Figure**

1 and Page 3 paragraphs [0051-0052] and [0054] – User at workstation (11), i.e. client,

registers a process to be performed with a second computer (3), i.e. server, thereby having

a client/server structure];

wherein the client computer comprises:

a first identifier corresponding to a processing for which an enquiry is issued to the server

computer **[Kanematsu -- Figure 1 and Page 3 paragraphs [0051-0052] and [0054] – A first**

identifier, i.e. user ID/name is sent from the first computer to the second computer]; and

an enquiry section for sending, upon inquiring the server computer of a status of the

processing, the first identifier to the server computer **[Kanematsu -- Page 4 paragraph [0059] –**

Processing status is obtained by requiring the first computer to send the first identifier, i.e.

user ID/name to the second computer],

wherein the server computer comprises:

a receiving section receiving a first identifier corresponding to a processing which is

requested from the client computer **[Kanematsu -- Figure 1 and Page 3 paragraphs [0051-**

0052] and [0054] – User enters his user ID/name, i.e. first identifier, which is then received

by the server computer];

an information acquiring section acquiring, in response to a status enquiry for the

processing which is received from the client computer and which includes the first identifier,

information regarding a status of said processing corresponding to the first identifier and a

transmitting section sending the information to the client computer **[Kanematsu -- Page 4**

paragraph [0059] – Processing status is obtained by sending to the second computer both

the first and second identifiers, i.e. user ID/name and job ID. Upon sending, server

acquires the status of the processing based upon the identifiers and returns the status

information to the user];

a second identifier generating section for generating a second identifier corresponding to

said processing and storing in the server computer, the second identifier corresponding to the

first identifier **[Kanematsu -- Page 4 paragraph [0059] – Job ID, i.e. second identifier, is**

generated by the second computer when a process is registered]; and

a transmitting section sending the information to the client computer **[Matsumoto --**

Drawing 4 and Page 6 paragraph [0023] lines 19-23 – Remote procedure activation

equipment (110) of procedure activation equipment (105) passes the response information

to remote procedure activation equipment (108) on procedure request equipment (104).

Demand stereo, i.e. client, is notified of response by the remote procedure activation

equipment (108) in step 15].

Kanematsu fails to explicitly teach generating the first identifier.

Matsumoto, however, discloses generating by the first computer a first identifier **[Matsumoto --**

Page 3 paragraph [0014] lines 1-4 and page 4 paragraph [0018] lines 8-12 – Identifier is

generated and is stored in storage of computer, i.e. hard disk].

It would have been obvious to a person of ordinary skill in the art at the time the invention was

made to incorporate the generating of a first identifier, as taught by Matsumoto into the invention

of Kanematsu, in order to provide a more automated system whereby the system itself generates

a client identifier to be used to send to the server computer, thereby eliminating the need of the

user to create an identifier.

Regarding claim 22, Kanematsu teaches the invention substantially as claimed, including

sending a first identifier to a second computer **[Kanematsu -- Page 4 paragraph [0059] –**

Processing status is obtained by requiring the first computer to send the first identifier, i.e.

user ID/name to the second computer], but fails to explicitly teach generating the first

identifier and storing the first identifier on a hard disk.

Matsumoto, however, discloses generating by the first computer a first identifier and storing by

the first computer the first identifier on a hard disk connected to the first computer **[Matsumoto -**

- Page 3 paragraph [0014] lines 1-4 and page 4 paragraph [0018] lines 8-12 – Identifier is

generated and is stored in storage of computer, i.e. hard disk].

It would have been obvious to a person of ordinary skill in the art at the time the invention was

made to incorporate the generating and storing of a first identifier, as taught by Matsumoto into

the invention of Kanematsu, in order to provide a more automated system whereby the system

itself generates a client identifier to be used to send to the server computer, thereby eliminating

the need of the user to create an identifier.

Regarding claim 23, Kanematsu-Matsumoto teach the invention substantially as claimed,

including wherein at least one of the first identifier and said processing includes information

unique to said first computer **[Matsumoto -- Page 4 paragraph [0018] lines 8-12 – Identifier,**

generated by client, includes information of the first computer therefore unique, i.e.

process initiated, and inherently contains return information of client for returning status

response back to client].

Regarding claims 27 and 33, these are system claims corresponding to the method

claimed in claim 23 above. They have similar limitations; therefore, claims 27 and 33 are

rejected under the same rationale.

Regarding claim 32, this is a system claim corresponding to the method claimed in claim

22 above. It has similar limitations; therefore, claim 32 is rejected under the same rationale.

9.   Claims 24, 28, 34 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kanematsu et al. (US 2002/0048050) and Matsumoto et al. (JP 07-129498), as applied to claims

23, 27, 33 and 37 above respectively, in view of Silva et al. (U.S. 6,167,537).

Regarding claim 24, Kanematsu-Matsumoto teach the invention substantially as claimed,

as aforementioned in claim 23 above, but fail to explicitly teach wherein the unique information

of the first identifier is an IP address of the computer.

Silva, however, discloses a system for submitting jobs to an automated testing which submits

with the job a client IP address as a unique identifier **[Silva -- Col. 2 lines 21-34, Col. 6 lines 10-**

27, Col. 9 lines 25-26 and Col. 10 lines 32-35].

It is well known in the art of computers and networking that IP addresses are unique numbers

that every computer connected to a network possesses, which serves to uniquely identify one

computer from another.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the

invention was made to incorporate using a client IP address as a unique identifier, as taught by

Silva into the invention of Kanematsu-Matsumoto, in order to utilize a well known and widely

used form of unique client information possessed by all network computers.

Regarding claims 28 and 34, these are system claims corresponding to the method

claimed in claim 24 above. They have similar limitations; therefore, claims 28 and 34 are

rejected under the same rationale.

Regarding claim 38, this is a computer readable medium claim corresponding to the

method claimed in claim 24 above. It contains similar limitations regarding use of an IP address

which inherently provides a unique identifier of a client. Therefore, claim 38 is rejected under

the same rationale.

10.   Claims 25 and 35-36 and are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kanematsu et al. (US 2002/0048050), as applied to claims 19 and 21 above respectively, in view

of Coward (U.S. 6,633,899).

Regarding claim 25, Kanematsu teaches the invention substantially as claimed but fails to

explicitly teach specifying to receive information regarding a status of the processing for which

the second computer notifies the status of the processing without enquiry.

Coward, however, discloses a system for dynamically providing feedback for a process being

performed on a remotely located server, such that, a client when initiating the remote process, to

register with a broker to receive process updates, without repetitively sending status inquiries

[Coward -- Col. 4 lines 12-50].

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the receiving of process updates through a dynamic feedback process without

sending status inquiries, as taught by Coward into the invention of Kanematsu, in order to

provide continual and accurate feedback during a process so that both sides of the process may

maintain control throughout the process **[Coward -- Col. 2 lines 15-18]**.

Regarding claims 35-36, these are system claims corresponding to the method claimed in

claims 25-26 above. They have similar limitations; therefore, claims 35-36 are rejected under

the same rationale.

11.   Claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Kanematsu et al. (US 2002/0048050) and Matsumoto et al. (JP 07-129498), as applied to claims

20 and 29 above respectively, in view of Coward (U.S. 6,633,899).

        Regarding claim 29, Kanematsu-Matsumoto teach the invention substantially as claimed,

as aforementioned in claim 20 above, but fails to explicitly teach sending the status of the

processing to the client as status changes.

Coward, however, discloses a system for dynamically providing feedback for a process being

performed on a remotely located server, such that, a client when initiating the remote process, to

register with a broker to receive process updates automatically, without repetitively sending

status inquiries **[Coward -- Col. 4 lines 12-50]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the receiving of process updates through a dynamic feedback process without

sending status inquiries, as taught by Coward into the invention of Kanematsu-Matsumoto, in

order to provide continual and accurate feedback during a process so that both sides of the

process may maintain control throughout the process **[Coward -- Col. 2 lines 15-18]**.

        Regarding claim 30, Kanematsu-Matsumoto -Coward teach the invention substantially as

claimed, including wherein the server computer also comprises storage means for storing the

status of the processing to be transmitted to the client computer **[Kanematsu -- Page 3

paragraph [0057] – Current processing progress, i.e. status, is stored in management table]**.

.12.   Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kanematsu et al.

(US 2002/0048050), Matsumoto et al. (JP 07-129498), and Coward (U.S. 6,633,899), as applied

to claim 29 above, in view of Dodd (U.S. 6,321,211).

        Regarding claim 31, Kanematsu-Matsumoto-Coward teach the invention substantially as

claimed, as aforementioned in claim 29 above, but fail to explicitly teach wherein the server

computer is an order receiving computer in an electronic commerce system.

Dodd, however, discloses an online gift exchanging system, i.e. e-commerce and wherein the

server computer is an order receiving computer **[Dodd -- Col. 1 lines 26-43 and Col. 5 lines 1-**

12 – Gift server, i.e. order receiving computer, is used for the purchasing of online gifts, i.e.

e-commerce].

It would have been obvious to a person of ordinary skill in the art at the time the invention was

made to incorporate the utility of an order receiving computer of an electronic commerce system,

as taught by Dodd into the invention of Kanematsu-Matsumoto-Coward, in order to extend the

system beyond the business world thereby allowing extended use the system to a segment in

which status information, i.e. order status, is typically retrieved by a user which can thereby

benefit from the teachings of Kanematsu-Matsumoto-Coward.

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

-    Furukawa (U.S. 6,029,238) discloses control of information processing which

        provides status information based upon a received IP address.

14.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thomas J. Mauro Jr. whose telephone number is 571-272-3917.

The examiner can normally be reached on M-F 8:00a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJM
November 30, 2004

William C. Vaughn
Primary Examiner
Art Unit 2143
William C. Vaughn